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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/015,062	12/11/2001	David E. Johnson	SL-04	7252
24985	7590	05/03/2004	EXAMINER	
KENNETH S WATKINS JR 372 RIVER DR DAHLONEGA, GA 30533			PATTERSON, MARC A	
			ART UNIT	PAPER NUMBER
			1772	

DATE MAILED: 05/03/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action	Application No. 10/015,062	Applicant(s) JOHNSON ET AL.	
	Examiner Marc A Patterson	Art Unit 1772	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 3/23/04 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☒ The proposed amendment(s) will not be entered because:
- (a) ☒ they raise new issues that would require further consideration and/or search (see NOTE below);
 - (b) ☐ they raise the issue of new matter (see Note below);
 - (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
 - (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____.

3. ☐ Applicant's reply has overcome the following rejection(s): _____.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☐ The a) ☐ affidavit, b) ☐ exhibit, or c) ☐ request for reconsideration has been considered but does NOT place the application in condition for allowance because: _____.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☒ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: none.

Claim(s) objected to: 1,3-6,27 and 28.

Claim(s) rejected: 1,3-6,27 and 28.

Claim(s) withdrawn from consideration: none.

8. ☐ The drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____.
10. ☒ Other: See attached.

DETAILED ACTION

Acknowledgement of Applicant's Amendments

1. The amendments made in Claims 1 and 27 in the After Final Amendment filed March 23, 2004 has not been entered because the amendment raises a new issue. The claims prior to amendment were not directed to a sleeve which defines 'a curved shape portion when the sleeve is in a lay – flat condition' or to a method of making a shaped portion by 'welding the sleeve with a die seal along a curved portion of the side edge of the sleeve.' The amendment would therefore require further search and consideration to be completely addressed. Even if the amendment was entered, the amended claim would not overcome the rejection because Figure 4 of Wells et al clearly shows embodiments of the disclosed sleeve which have curved portions.

Applicant argues, on page 5 of Paper No. 10, that Wells et al fails to disclose making a shaped portion by welding the sleeve with a die seal along a curved portion of the side edge of the sleeve. However, this limitation is in amended Claim 27, not Claim 1. Furthermore, the claims prior to amendment were not directed method of making a shaped portion by 'welding the sleeve with a die seal along a curved portion of the side edge of the sleeve.' The amendment would therefore require further search and consideration to be completely addressed.

Applicant also argues, on page 5, that the claimed invention satisfies a long – felt need in the graphics printing market.

However, Applicant offers only Applicant's opinion as evidence.

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Claim Objections

2. The reply filed on March 23, 2004 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): All claims must be listed, with status identifiers. The only status identifiers permitted are 'Original,' 'Currently Amended,' 'Canceled,' 'Withdrawn,' 'New,' 'Previously Presented' and 'Not Entered.' See 37 CFR 1.111.

Conclusion

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marc Patterson, whose telephone number is (571) 272 – 1497. The examiner can normally be reached on Monday through Friday from 8:30 AM to 5:00 PM. If attempts to reach the examiner by phone are unsuccessful, the examiner's supervisor, Harold Pyon, can be reached at (571) 272 – 1498. FAX communications should be sent to (703) 872-9310. FAXs received after 4 P.M. will not be processed until the following business day.

Marc A. Patterson, PhD.

Marc Patterson
Art Unit 1772

Harold Pyon
HAROLD PYON
SUPERVISORY PATENT EXAMINER